

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

MICHAEL HOLTSINGER, Plaintiff,
No. CIV S-03-0732-MCE-CMK-P

vs. ORDER AFTER STATUS CONFERENCE

J.M. BRIDDLE, et al.,

Defendants.

Plaintiff, a state prisoner, brings this civil rights action pursuant to 42 U.S.C. § 1983. A status conference was held on July 23, 2009, at 11:00 a.m. Certified Law Student Erin Simonitch and Attorney Carter White, King Hall Civil Rights Clinic, appeared telephonically on behalf of plaintiff. Carrie A. Frederickson, Esq., appeared telephonically on behalf of defendant Voros. Bruce Monfross, Esq., appeared telephonically on behalf of the Office of the Inspector General. Also before the court was Plaintiff's motion for sanctions (Doc. 293)

Upon consideration of the motion, the status report, discussion with the parties, and good cause appearing therefor, **IT IS HEREBY ORDERED** that:

1. Upon agreement of the parties, the documents produced by the Office of Inspector General and the Attorney General's office, including Defendant Voros' personnel file

1 and the internal investigation reports, which were ordered produced following the June 29, 2009,
2 *in camera* reviews will be subject to the same protection provisions as are the reports previously
3 produced;

4 2. Attorney Frederickson will draft a stipulated protective order, to be
5 submitted for approval to King Hall, and then to the court for final approval by July 31, 2009;

6 3. All documents and videos previously ordered to be produced shall be
7 produced on or before August 8, 2009;

8 4. The motion for sanctions is submitted;

9 5. Defendant may submit a further brief as to the monetary sanctions request
10 on or before September 4, 2009;

11 6. Defendant is ordered to appear and make herself available for a deposition,
12 in Davis, California, on or before August 28, 2009, in order to avoid the imposition of fact
13 establishing sanctions;

14 7. Whether by notice or stipulation Defendant's deposition shall not be
15 scheduled on dates other than the following: August 18, August 19 (afternoon only), August 20
16 (afternoon only), August 24, August 25, August 26, or August 27 (morning only), 2009;

17 8. Defendant's failure to appear and cooperate at a deposition as ordered will
18 result in the imposition of sanctions, pursuant to Federal Rule of Civil Procedure 37(b)(2)(A)(i),
19 resulting in the facts alleged in the second amended complaint as to Defendant's liability being
20 taken as established;

21 9. Plaintiff is to notify the court, on or before September 4, 2009, whether or
22 not Defendant appeared at her deposition; and

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10. In the event that Defendant fails to appear at her deposition, Plaintiff shall submit to the court, on or before September 4, 2009, a memorandum setting forth the facts alleged in the complaint establishing liability.

DATED: July 27, 2009

Craig M. Kellison
CRAIG M. KELLISON
UNITED STATES MAGISTRATE JUDGE